

Mental Patients Need To Adjust Penalties

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Abstract: Without any doubt cannot be sufficient in patients with low current law. Although Article 51 of Islamic Penal Code, criminal insanity as a resolver has accepted responsibility, but many mental illnesses and disorders, there is madness in the form generally does not fit as the main cause of many crimes, but are. This article tries to explain the necessity of necessity with particular attention to the mentally ill, released them under the law and legal methods of punishment and the mentally ill even as far as possible reduce crime or they will completely exempt from punishment. Because these patients have a strong will and understanding and not properly considering disease severity and quality, only crime has been committed and financial operations of science and the will and intent to rape and commit crimes and have no criminal operations. If fair and realistic to look at mental illnesses will see their understanding of their rights and not others, and naturally able to provide healthy behavior toward preserving their rights and others are not. It is hoped the efforts of medical and legal community and the health system and the competent authorities and the Centers for entries and focusing attention Honourable House, rules and regulations be approved. Mentally ill in the criminal law to be reviewed, especially with regard to their disease severity and quality, and the trial judge and punish are located.

Key words: Patient rights - Moderated penalty - Madness - Mental disorders

INTRODUCTION

Preserve the soul, forcing us to make various aspects of human life have a decent accuracy. This task, our criminal law requires the effective recognition of the various topics about responsibility into the dark and narrow angles and identify the issue. This study, in order to achieve such objectives required, one of many factors determining criminal responsibility remains the obsolete system of equations and Iranian Penal There, under the general "mental disorders" deals. Various types of mental disorders, regardless of the overall madness as of Criminology issues that can impact on the remarkable criminal responsibility and consequently have the penal code. Criminology today to understand the roots and ways to fight crime from the study looks beyond the crime and the scrutiny of non-concrete layer is addressed; Because "human factors, factors that affect their lack of attention to them, [meaning] reaction products [is] not the product creator." (1) Criminology knowledge to achieve this goal long has taken several approaches. One of the approaches to date, his fortune has preserved among criminologists, the impact of mental disorders in various criminal offenses. Because significant numbers of crimes and violations St I psychiatric disorders in patients with mild and severe will commit. Besides the required criminal knowledge, evaluation and review of his personality and emotional factors affecting criminal behavior is alleged to be his discoveries, he has found effective treatment.

2. Statement of Problem:

Mental disorders, a wide range of diseases, between full alertness to complete madness that each can incorporate some form of criminal responsibility for offenders with mental illnesses that affect, it causes disturbance in the force that created distinguish and recognize individual eliminated or altered to make the desired intention and will of criminal law as a pillar of spiritual realization is a criminal act. Today, psychiatric and psychological development, research and studying trends in mental relationship with social conflicts and crime and to accelerate it in a new direction to the flow is removed.

Hand figures provided by authorities indicated weakness in the Iranian society and the psychological magnitude of various crimes in the present and likely future. Studies show between 20 percent to 25 percent of the population are needed psychiatric services.

However, the basic research questions are as follows:

A - mental disorders impact on crime is what?

B - What role in mental disorders guilty of criminal responsibility are they?

C - Does the Iranian criminal law offenders mental disorders impact on their criminal responsibility has been identified?

By examining research and studies regarding various mental disorders and their role in the crime has been committed (as described in the pages ahead, it will come) is easily found that the incidence of these disorders cause major crimes that are truly "a normal human healthy and will not commit those acts. By examining research and studies regarding various mental disorders and their role in the crime has been committed (as described in the pages ahead, it will come) is easily found that the incidence of these disorders cause major crimes that are truly "a normal human healthy and will not commit those acts. And denial of mental disorders in reducing the impact of criminal responsibility, clearly with the findings of scientific and legal world today was in contrast, indicates the fact that "Iran's rights" not brought to the findings of cognitive science alien is a crime. In the field of social studies, science believes correctly located the acceptance of brain diseases and mental disorders, an important role in the incidence of mood and interactions of people will play in social life. While Iran's rights in the field, especially in the Islamic Penal Code, paid attention to the impact of mental disorders and merely observe "the concept of madness without providing any legal or medical definition has been discussed. The recent research project and questions focusing on one of the weakest and obsolete Topics Criminal Law of Iran (guilty mental disorders) are trying to explain the necessity of discussing and studying such topics, in addition to efforts towards solving this important problem, point is turning the micro level in the field of criminal law and affecting social reactions in the macro level.

3. Mental Disorders and Crime:

Psychological force of humankind - the manufacturer of a large part of his identity - involves understanding, determination, understanding, accuracy, intelligence, intelligence, memory and emotion that interact with each other in individual and social life, he forms. Unbreakable connection between these components so that damage to any of the pictures they create confusion and lead to mental disorder in the individual and ultimately will change His words and deeds.

3-1. Concept of Mental Disorder:

Mental disorder is a broad concept that provides a single definition and the common and acceptable in different areas is difficult. The field of mental health experts, different definitions of mental disorder have provided. This variation to the extent that psychiatric and psychological knowledge mining - both of which are branches of medical specialty - the roots in determining incidence of these disorders do not agree. Defects or damage to the brain causing mental unrest and destruction instincts and understanding can apply the results good and bad moods and eventually the emergence of a dangerous person and propelled him into committing the crime is. In contrast to psychologists, mental disorders caused by damage to the person's emotions, especially in childhood knows that he accumulated in the unconscious, and at the right time, influenced by other factors, cause dangerous situations in person or by his crimes is. Meanwhile, a point that is important and special place in the present study is that both groups of experts said, regardless of any definition that have presented have pointed to the fact that mental disorders cause unrest and time casting Mental been logical and rational person to communicate with him about stopping or disrupting and ultimately cause a dangerous condition for the individual or his relatives and others are.

3-2. Species of Mental Disorder:

3-2-1. Mental Disorganization:

This includes disorders is suggested as a person suffering delusions, hallucinations, impaired memory and inability to measure the fact that the patient properly assess their perceptions and thinking makes mistakes and is divided into the following types:

A - schizophrenia (schizophrenia): a common feature of these disorders, the inability to survey the reality, confusion, disorder of thinking and behavior, perception and emotion (6) often accompanied by hallucinations and delusions (7) and, in fact advanced dementia It is said that the patient aware of his behavior and speech is not.

Schizophrenia is a variety:

A-1. paranoid type: The main feature of this disorder, damage and harm there delusions or illusions gentlemanly and has the same content.

A-2. Type Catatonic: The case emerged as solidity and you scurry to appear in person makes

A-3. distinct types: when symptoms cannot be placed in specific groups

A-4. Type confused: NBA features related word, strange behavior is contrary to social norms.

A-5. Type confused: NBA features related word, strange behavior is contrary to social norms.

B - Schizophrenia form disorder: signs, like a schizophrenic patient with the difference that the maximum six months absolutely "improved.

C. A delirious disorder: The main feature of this disorder, delusions of developing non-strange and is unchangeable (like being prosecuted and poisoning). Delirium in this disease has organized and limited to

specific areas and in other areas, the patient is normal behavior. Delirious patient's emotional response to the system fits with the content of delusions and personality almost sick "remains unchanged and if not in terms of stress spent, do not seem to have a mental disorder is not

Delirium disorders include:

C-1. type of harm and damage: in this type of disorder, but a strong person and believe in false arguments to the inevitable danger from others, being prosecuted, and having the enemy is poisoned.

C-2) type of morbid jealousy: The disorder known as syndrome psychosis that a subset of solutions, expression false belief and logic to the inevitable betrayal of his wife and person because of wife abuse and wife of many suicides is a significant relationship with murder Trust had in common men.

C - 3) gentlemanly type: This form of delirious ideas disorder attributable excellent value, their power and knowledge, being famous and ... Emerged and talented person to conflict with the law or social and political conflict increases dramatically.

C - 4) physical type: the patient believes in this case physical defects and diseases or defects of hardware and even the exact tests and medical arguments also cannot get to Ur to accept your health.

C - 5) erotic type: content delirious patient suggests thoughts of someone famous or upper classes, his love and different ways to express love to have him or her is annoying.

D -schizoaffective disorder: concurrent cause major symptoms of schizophrenia and mood disorders and depression is essential.

3-2-2. Mood Disorders:

Mood, emotional state to learn that person's perspective and perception of his own, others and the environment significantly affects. This disorder is a form of depression with mental and psychological impact on the lives of individuals reduce the physical and intellectual capabilities and his examples are the following:

A - Depression: more or less stable state is associated with reduced mental and physical energy and can cause frustration that depressed patients against odds and adversity is the smallest. The most important and most acute forms of depression include:

A -1. - major depressive disorder or unipolar depression: Patients with severely People "was depressed and slow mental and motor, fear, sadness and sense of regret and suffering may be lost to suicide and other suicide to escape suffering throw; This disorder may cause disorganization of mental patients, ie one call is disconnected with reality and suffer from delusions and hallucinations to him.

A - 2 - Depression (psychotic) after delivery: a severe depressive symptoms are delusions (17). At first, insomnia, restlessness and emotional instability occurs, and little by little the confusion, delusions, and the logic of seemingly obsessed infant flourishes, and if untreated, the risk of suicide, infanticide or both increase. Such a disorder is one of myriad disorders, psychotic disorders like schizophrenia, reason and the will is eroded visitors.

B - bipolar disorder: The main feature of this disorder, creating large fluctuations between depression and mania that causes recurrent and relieve patients experience.

3-2-3. Personality Disorder:

Personality disorder, is a term first French psychiatrist Philip pinel 19th century AD show that the figures apply to non-specific mental illness, hand-beating anti-social acts.

Personality disorder is: "pervasive patterns of behavior disorders, mood, perception and thinking on the extent caused serious damage in personal relationships and psychological functioning - is social. Personality disorders are divided into three categories:

A - strange characters: include:

A-1 - paranoid personality disorder (subjects suspicious, irritable, angry, and has displaced and pessimistic bias)

A-2 - schizoid (away from the social isolation of patients)

A-3 – Schizoid type (patients with performance and thinking strangely distorted reality) is.

B - Emotional Characters: The characters include a hyperbolic behavior, emotional and vary. Such as:

B-1 - Antisocial personality disorder (a maladaptive behavior and lack of proper understanding of the rights of others and inclined to aggression and deceit and illicit sexual relations)

B-2 - borderline personality disorder (with the crisis and instability of mood)

B-3 - Personality Disorder, or display screen (with excitement and a desire to show off) D - narcissistic personality disorder (with big nose and lack of acceptance of criticism and violence and depression)

C - timid and anxious personalities:

C-1- include: - compulsive personality disorder - Algebraic: (non-intentional interference with thoughts and desires and leave their resistance)

C-2- round personality switch: (low between his community and escape)

- C -3- dependent personality disorder: (passive and lacked confidence)
- C-4 - passive aggressive personality disorder: (stubborn and aggressive, and rather)
- C-5- depressive personality disorder: (pessimistic, lacks confidence, introspective and acute, psychosis)

3-3. Relationship Between Mental Illness and Crime:

3-3-1. Relationship of Mental Disorganization and Crime:

Common feature of all species of this type of disorder, suffering hallucinations and delusions of the patient is the disability caused him to assess the reality and confusion in perception, thinking, words and deeds are. In some stages of the disease, disrupting power and causing the patient to judge acts unforeseen even by him are dangerous. Mental failure, infection early stages, the less important crimes such as theft of less valuable objects, and the tramp ... But after beating the disease progresses without any special motivation, and commit serious crimes such as murder without significant incentives, aggressive acts incompatible with chastity in public, sex-worker and ... Represented.

3-3-2. Related Disorder and Crime:

Obvious match between depression and lack of offense is the following life expectancy so the individual believes internal fault, sin, life and being useless ... Causing the patient is the only way to understand emancipation as a suicide. Regrettable is that people with acute depression and postpartum depression often before the murder suicide of children and other family members beat. Research works have shown that most crimes committed people with bipolar disorder include conflict, creating a fault in family relationships, transportation, storage, or abuse drugs and alcohol, political crimes and murder.

3-3-3. Relationship Between Personality Disorder and Crime:

Personality disorder, patients often forced to break the norm and makes prone types of offenses. Crimes such as theft, fraud, violence towards people and animals. In this regard, patients with borderline personality disorder due to the inability to control the unconscious impulses (violence, sex, hate and ...) Suffered severe psychological tensions and mastered to overcome the alcohol, illegal drugs and narcotics are paying and committed theft, violence and sexual assault are. Also in patients with personality Schizophrenia, causing serious disability in social adaptations of committing various felony and will repeat them.

3-4. Impact of Mental Disorders in the Amount of Criminal Responsibility:

Iran's penal code in the main general topic of crime and punishment, is the Islamic Penal Code. In Article 51 of this Act as the cause of madness resolver criminal responsibility is gone, but speak of mental disorders and other mental illnesses Unspoken word and all the legislators as the overall focus was madness, as if that all mental disorders - mental madness imaginable is in the form .

Although the title refers to the general madness and the public can own all forms of mental abnormalities and disorders - including mental, but in practice, "courts and judicial authorities to accept as a factor for mental disorders and the elimination or reduction denied criminal responsibility and simply refuse" the madness, as he mentioned in the article of the law as ablative agent had accepted criminal responsibility. By the same token discount or just crazy deserved graduation from criminal responsibility, as they know, while the content has been said before many mental illnesses, there are localized and temporary basis and in certain cases cause crime and behavior due to some "normal respected judges refuse to accept their claim of insanity gone. And the coroner said there's abnormalities and mental disorders outside of the law and knowingly committed a crime to spend that has not been introduced as insane, it deserves the full penalty and he considered the sentence to be enforcement. Considering that the main framework of criteria and identification of offenders and penalties in criminal law quality implementation of Iran's Islamic Penal Code and other special penal laws as well as general rules of criminal law are subject to Islamic Penal Code and as previously, "it was said. No regulation in the recent law for offenders with mental illnesses are not primarily supplementary "These issues have been ignored by the legislator is trying very much to be done to this great legal defects and lack proper identification of effective agents and toys commit crime, is high.

Another point that the same madness as well as general Islamic Penal Code of the strange way without being obliged, and no legal or medical definition of it has not provided lawyers and judges and just "do not know what the purpose of this title and you simply order legislator" of those who represent their appearance to their madness, or else the purpose was. Even if you truly accept that "the legislator intended that all forms of dementia as the cause of criminal responsibility be considered ablative linseed question remains why the tools and accessories enough to identify such a special case not been provided to judges and define it as an obstacle to comprehensive and Kelly has not grown? If lawmakers in terms of impairment in thinking and understanding and determination of their crazy is considered innocent of criminal responsibility so why other patients with mental disorders that affected their illness to have struck the crime, and we are exempt

from the penalty has not engaged in an anxious mental illness and conflict in conformity - as the overall mental madness has? current criminal laws and regulations in Iran, but the general madness of our titles as ablative criminal responsibility resulting from impaired thinking and understanding and will be persons, and do not encounter such a regulatory void is felt strongly.

Conclusion:

Finally according to different types of identification and recognition of mental disorders and their adverse impact resulting from the crimes have regard to the brevity and ambiguity of the Islamic Penal Code's insanity as the ablative agent responsible for criminal and mental disorders as a rejection madness by the courts and the complexity of identifying mental disorders that require clinical trials and review records and activities of individual and social disease patients. And, thanks to the very important issues that save lives of people wake penalties imposed strongly placed invective and attack and the necessity of compliance with any law or ethical standards of fair and that we punish the person's ability to understand the true condition of their rights and others were not warned picks and according to some mental disorders that only "the time and place and under certain conditions caused by crime. First be identified and are being professional and thoughtful comments about the intellectual and mental health of offenders in one jurisdiction and ability to judge a person as a lawyer nor an expert psychological or psychiatric mining, Need not comply with medical and psychiatric views of the law and preserve the sanctity of life and dignity of persons and respect for human and social status into account the task of having references and relevant government authorities and officials in the identification of intellectual disability and disabled people who need to preserve and requires treating them, The tasks associated with community doctors and lawyers and psychiatrists and the social science intellectuals are once the study of diseases and mental disorders hidden angles, with honorable attention of Council House, explicit and comprehensive penal law and an obstacle to adoption. Instead of the care and treatment of mental patients, they will not be punished and punished with obtaining mental disorders - mental and functionality, and their occurrence - crime, criminal responsibility and the corresponding adjustment of discount or terms already placed, criminal responsibility to overthrow the patient.

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